

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4-9, 12-17, 20-25, and 28-32 are pending in the present application. Claims 1, 9, 17, and 25, have been amended and Claims 3, 11, 19, and 27 have been cancelled by this amendment without prejudice or disclaimer. No new matter has been added.

In the outstanding Office Action, Claims 1, 3-9, 11-17, 19-25, and 27-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,884,056 to Steele in view of EP 1 024 444 A2 to Hori; and Claims 3, 11, 19, and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Steele in view of Hori and obvious engineering design choice.

Applicants acknowledge with appreciation the courtesy of an interview granted to Applicants' representative on December 01, 2005 at which time the outstanding prior art rejections were discussed. In short, Applicants asserted during the interview that, at best, the combination of Steele and Hori suggests transmitting scene-changing images in a first transmission and then transmitting non-scene changing images in a second transmission. Applicants maintain that position. However, in order to expedite prosecution by simplifying the issues, Applicants have amended the independent claims to include the feature recited in claims 3, 11, 19, and 27.

Briefly recapitulating, the present invention (claim 1) is directed to still pictures which are extracted from a picture stream including both scene-changing still pictures and non-scene-changing still pictures. Claim 1 recites a transmission sequence to transmit the still pictures in one series, which is different than the sequence of the still pictures in the picture stream, such that each of the scene-changing still pictures of the transmission sequence are transmitted prior to the non-scene-changing still pictures. The newly recited

feature in independent claim 1 provides that one of the non-scene changing still pictures which is positioned in the middle of a largest interval between scene-changing still pictures is included in the picture stream and is first transmitted after the scene-changing still pictures are transmitted (hereinafter referred to as the “sequencing feature”).

Though they are different in scope, each of amended independent Claims 9, 17, and 25 recites the same feature. The active pending claims depend from Claims 1, 9, 17, and 25.

The Office Action asserted on page 9 that the that sequencing feature, though not taught in the applied art, would have been an obvious engineering design choice for two reasons. First, the Office Action asserts that “Applicant has not disclosed that specifically transmitting one of the non-scene changing still pictures positioned in a middle of a largest interval between scene changing still pictures included in the picture stream as the first still picture transmitted” provides an advantage. Applicants respectfully traverse.

Applicants point out that the specification identifies one of the problems being addressed at page 7, lines 20-25, which states “received thumbnail pictures are sequentially displayed as soon as they are received. Therefore, because the thumbnail pictures are transmitted according to the frame number sequence of the picture stream in the conventional method, the thumbnail picture of the leading frame is immediately displayed. However, it takes a long time to display the thumbnail pictures in a latter frame. Accordingly, only the thumbnail pictures near the leading frames are immediately displayed.”

Applicants further point out that that specification teaches at page 7, lines 9-12 that “the thumbnail pictures are transmitted in a predetermined sequence, which is independent of the frame sequence number. That is, picture frames corresponding to scene change points or other important points are transmitted prior to other frames.” Lastly, the specification teaches at page 14, lines 18-21 that “if requested pictures have not been received by the time of the frame-feed display, other thumbnail pictures in the frame numbers closest to the non-stored

still pictures are selected and displayed. Therefore, the frame-feed display of thumbnail pictures can be performed using the stored pictures.” Applicants submit that the sequencing feature now recited by the independent claims enables these advantageous results.

The second reason the Office Action asserts the sequencing feature is an obvious design choice is that “one of ordinary skill in the art ... would have expected Applicant’s invention to perform equally well with transmitting one of the non-scene-changing still pictures positioned in a different interval than the largest interval because the user may just as easily select a different interval to view in more detail.” Applicants respectfully traverse for the following reasons.

Steele discloses a system and method for video browsing over a network. According to Steele, the graphical user interface displays a set of points such as thumbnail representations of scene cut-points within an object. After a first transmission of the thumbnail representation of the scene changing frames, a user selects an interval between two representations, whereby a new set of points between the selected interval are provided in a second transmission.¹ Thus, as conceded in the office action, Steele does not provide a first transmission including both scene-changing still pictures and non-scene-changing still pictures positioned in the middle of a largest interval between scene-changing still pictures.

Applicants maintain that Hori does not teach the claimed reordering of still images (scene-changing and non-scene changing) for transmission as one series. Further, as conceded in the office action, Hori does not teach or suggest the sequencing feature of the present invention. Applicants submit that the sequencing feature of the present invention would not have been an obvious engineering design choice because selecting the non-scene changing frames prior to the user’s focused request based on a predefined algorithm is counter-intuitive to the teachings of Steele to transmit a first set of thumbnails prior to a user

¹ Steele, Abstract; Figure 4; and col. 6, lines 13-35.

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focusing his request and the teachings of Hori to decimate the non-scene changing frames to address the bandwidth issue.

For the foregoing reasons, Applicants submit that Steele does not anticipate or render obvious the subject matter defined by claims 1, 9, 17, and 25 when considered alone or in combination with Hori. Consequently, Applicants respectfully request that the rejections of Claims 2, 8, 10, 16, 18, 24, 26 and 32-44 and Claims 3, 11, 19, and 27 under 35 U.S.C. 103(a) as unpatentable over Steele in view be withdrawn.

In light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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